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COMMITTEE ON THE RIGHTS OF THE CHILD

First session

SUMMARY RECORD OF THE 12th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 8 October 1991, at 10 a.m.

Chairman: Mrs. BADRAN

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Matters relating to the Committee's methods of work in respect of the consideration of reports to be submitted by States parties in accordance with article 44 of the Convention (continued)

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GE.91-17735/3790B

The meeting was called to order at 10.10 a.m.

MATTERS RELATING TO THE COMMITTEE'S METHODS OF WORK IN RESPECT OF THE CONSIDERATION OF REPORTS TO BE SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLE 44 OF THE CONVENTION (agenda item 7) (continued) (CRC/C/L.2)

The CHAIRMAN invited the Committee to continue its consideration of document CRC/C/L.2.

Paragraph 10

Mr. HAMMARBERG said that the statistical data referred to in paragraph 10 was undoubtedly very important. However, it was difficult for States parties to provide all the data the Committee might have in mind. In some countries, no statistics were available for certain groups and others, such as his own, avoided keeping certain statistics for fear of discrimination. The text should also make a clearer distinction between children newly placed in foster care and children still in foster care at a given moment.

Mr. SHAW (World Food Programme) urged the Committee to use statistical data to make a more incisive analysis of causality. The large amount of work done in the United Nations and elsewhere concerning the poor had shown that they were not a homogeneous group. There was a great difference in lifestyle between small farmers, the landless, households headed by single women, the urban poor, etc. The Committee should begin a process of helping Governments see children in their total economic and social setting. Two helpful documents in that respect were the UNDP Human Development Report and the document being prepared by the International Fund for Agricultural Development on the State of World Rural Poverty, both of which contained some very interesting statistics. In addition, the gender issue was extremely important and the Committee should aim at understanding the causes of the marked differences between data for boys and girls.

Mrs. EUFEMIO said she wondered whether the statistics referred to in paragraph 10 should not be included in studies rather than in reports by States parties.

The CHAIRMAN replied that information contained in reports by States parties was of a preliminary nature. It highlighted certain correlations between factors and helped the State party concerned in its planning for different sub-groups within the child population. For a deeper analysis, however, reports could obviously not furnish all the information required.

Mrs. EUFEMIO said she believed that statistical data should be provided to the Committee annually.

Mgr. BAMBAREN GASTELUMENDI suggested that paragraph 10 should be placed at the end of the guidelines, following the paragraphs referring to specific articles of the Convention.

Mrs. SANTOS PAIS noted that everyone agreed that some statistical data was necessary; the question Mgr. Bambaren Gastelumendi had raised was one of methodology. Should statistics be presented chapter by chapter or in a separate, general section? Personally, she had no strong views either way, but the chapter-by-chapter method might be easier for States.

Mgr. BAMBAREN GASTELUMENDI said that, in his view, it was easier for the reader if statistics were contained in an appendix to reports by States parties. However, it might better be left to the drafting group to choose the appropriate method for each section of the guidelines.

Mrs. EUFEMIO suggested that a paragraph 5 should be added to the introduction referring to the inclusion of statistical data in appendices.

Mr. MOMBESHORA noted that, in the statistics for the different groups of children, the total number of children in each age group should always be provided.

Mr. HAMMARBERG said that the Committee's main concern was that the statistics it requested should be furnished. Exactly how that was to be done could be decided by the drafting group in consultation with the secretariat.

Mr. KOLOSOV noted that the important criterion of rural children, as opposed to urban children, had been omitted.

Mgr. BAMBAREN GASTELUMENDI suggested that paragraph 10 should be amended to take account of the situation of the growing number of street children.

Mrs. SANTOS PAIS said that, in her opinion, the wording of paragraph 10 should be left open to include other groups of children in distress.

Mr. KOLOSOV noted that paragraphs 9 and 10 dealt with the right of children to a normal family life. Other problems affecting children were covered in paragraph 13. In his view, that approach should be maintained.

Mr. SHAW (World Food Programme) suggested that the Committee might wish to defer its consideration of paragraph 10 until it had held its discussion with other United Nations bodies and with non-governmental organizations later in the week. A great deal of data was being generated by the other bodies and the Committee might take stock of that data and build on it. In fact, a special session on data alone might be necessary, for it was instrumental in the Committee's analysis of causality that would lead to solutions. By analysing trends and establishing a profile of children in each country, the Committee would be better able to understand major problems.

The CHAIRMAN suggested that a phrase such as "and any other group of children under difficult circumstances" might be added to the end of paragraph 10. If she heard no objection, she would take it that the Committee agreed to defer its discussion of paragraph 10 pending its dialogue with United Nations bodies and non-governmental organizations.

It was so decided.

Paragraph 11

Mrs. SANTOS PAIS said that, as non-discrimination was a basic principle which applied to the Convention as a whole, she would prefer it to be referred to only in the introductory part of the guidelines, not in paragraphs 11 or 12. The question of disabled children should be included in paragraph 11, which should recognize the need to ensure dignity, self-reliance and active participation by the community. Article 18, paragraph 3, and article 39 of the Convention should also be taken into account in that section of the guidelines.

Mr. SHAW (World Food Programme) said that article 6 of the Convention should be a basic premise of paragraph 11, which placed emphasis on the responsibilities of States parties through the Government and public sectors. Those sectors certainly had a role to play, but it should be recognized that, in most developing countries, the household and the community were vitally important to the development process. Poor households and communities had traditionally developed their own coping mechanisms, which should be understood and appreciated so that the public sector might give them fuller support.

Mr. KOLOSOV said that, notwithstanding paragraph 5 of the guidelines, paragraph 11 should request information on the activities of national non-governmental organizations dealing with child health and social welfare.

Mgr. BAMBAREN GASTELUMENDI said that, in the Spanish text, the reference to monitoring strategies and mechanisms should be made clearer.

Mrs. KLEIN (Representative of the Secretary-General) said that the intention was to encourage mechanisms by which to follow up on measures taken in respect of health and welfare.

Mrs. EUFEMIO suggested that paragraph 11 should contain a reference to article 18 of the Convention.

Mr. HAMMARBERG cautioned against mentioning the same article under different sections and against including too many cross-references, since the guidelines were intended to assist States parties in preparing their reports. He assumed that statistics were intended to be included in the reference to "relevant information".

The fact that the reports of States parties should be the result of a dialogue in which non-governmental organizations would take part must also be borne in mind, although reports were ultimately the responsibility of the States parties concerned. There should be procedures governing the question of additional information so that the Committee might be able to receive or request supplementary information from non-governmental organizations where it was considered useful.

Mrs. EUFEMIO said that, while she understood that excessive cross-referencing was to be avoided, she considered that a reference to article 18 of the Convention in paragraph 11 was important, particularly in the context of primary health care.

Mr. MOMBESHORA said that, since monitoring mechanisms for primary health care already existed, relevant information was available in that regard.

Mr. SWEPSTON (International Labour Organisation) said that an enormous amount of information might well be forthcoming on social security legislation and conventions and that the filtering of information for the Committee's consideration might therefore be envisaged.

Mr. SHAW (World Food Programme) said that each agency in the United Nations system had a wealth of information of immediate relevance to the Committee, which had to determine how to integrate such information into its work, while avoiding the pitfall of gathering data for its own sake.

Mr. MOMBESHORA said that, in the context of data collection and use, the selection of indicators was an important way of showing what efforts were being made by States parties.

Mr. SWEPSTON (International Labour Organisation) said that the concern he had expressed earlier related to the vast amount of information which the Committee was likely to receive, particularly if social security legislation was obtained directly from States parties. It might be appropriate to discuss that question during the consideration of agenda items 8 and 9.

Mrs. SANTOS PAIS said that the Committee should take account of the possibility of having analytical studies made available to it.

The CHAIRMAN said that the drafting group would revise the text of paragraph 11 in the light of the comments made during the discussion.

Paragraph 12

Mr. KOLOSOV suggested that it would be more logical to move paragraph 12 (e) on drug abuse to paragraph 11 on basic health and welfare.

Miss MASON said she agreed that the reference to drug abuse should be moved, but thought that a better place for it would be in paragraph 13 (d), in connection with the implementation of special protection measures.

Mrs. SANTOS PAIS said that the section on drug abuse did need to be transposed. Including it in the paragraph on education gave the impression that the only measures the Committee was concerned with were those involving the prevention of drug use through education, whereas it also wanted to know what was being done to combat drug trafficking, among other things. She thought that the subject of drug abuse could best be included in paragraph 8 in connection with fundamental civil rights.

The Committee still had to take a decision on whether a reference to non-discrimination should be included in a general statement or in each paragraph of the guidelines.

Mr. SWEPSTON (International Labour Organisation) proposed that paragraph 12 (a) should be amended to read: "Education, including vocational training and guidance". The purpose was to ensure that the concept of education was not given an unduly restrictive interpretation.

Mgr. BAMBAREN GASTELUMENDI, noting that article 17 of the Convention mentioned efforts to be taken by the mass media, suggested that a reference to such efforts should be incorporated in paragraph 12.

Mr. HAMMARBERG suggested that the title of paragraph 12, "Education", should be amended to cover vocational training and cultural activities as well.

In his view, non-discrimination was such an important part of the efforts required under the Convention that it should be mentioned in each individual paragraph of the guidelines.

Mrs. SANTOS PAIS said that, in broadening the title of paragraph 12, a reference to leisure should be included, for one of the Convention's most noteworthy innovations was its reference to the right of the child to play - in other words, to be simply a child.

Mr. KOLOSOV said he believed that the paragraph headings were not substantive in nature and that it was not necessary to expand them to cover all points: it was preferable to keep them short and simple.

The CHAIRMAN said that the drafting group would be requested to revise the wording of the title and of paragraph 12 (a) in the light of the comments made by the members of the Committee. It would also have to decide on an appropriate place in the draft guidelines for paragraph 12 (e) on drug abuse.

B. Implementation of special protection measures

Paragraph 13

Mr. SHAW (World Food Programme) said that his organization had a special interest in section B, but thought that it should be divided into two. One section would refer to disabled children, minorities and child labourers, and the other would deal with emergency situations that were beyond the control of States parties. The second section would thus include paragraphs 13 (a) on refugee children and 13 (g) on children in armed conflicts, as well as a number of other emergency situations.

Emergencies could be of a sudden, cataclysmic nature, such as natural disasters, or of a protracted nature, such as drought or crop failure. They could also be man-made. Sadly, of all the emergency situations now existing, man-made ones were the most prominent: his organization provided 70 per cent of all its emergency assistance to victims of man-made disasters. All those types of emergency situations would call for different measures, for they had different impacts on children.

Another important category to consider was refugee children. Children could be refugees for a limited period of time or, in cases such as those of Afghanistan, Cambodia and the Sudan, for lengthy periods. When children were born and brought up in refugee camps, their needs included not only emergency assistance, but also human development measures such as education for themselves and employment opportunities for their parents.

Another category to be considered was that of displaced children. The United Nations system had absolutely no mechanism devoted to displaced persons at present. Account also had to be taken of the sufferings of populations into whose territory displaced persons had migrated. Often, those populations had been badly off to begin with and their situation was greatly worsened by the presence of displaced persons.

The focus in the guidelines should not be exclusively on children: the health of mothers or those who cared for the children was equally important. Lastly, it should be recognized that not only States parties, but also many non-governmental and other organizations, played a vital role in ensuring the well-being of children in disaster situations.

Mrs. BELEMBAOGO said that, in paragraph 13 (f), the words "imprisoned children" should be added to the reference to "children deprived of their liberty". More and more children were being imprisoned, as opposed to being deprived of their liberty, especially in countries where the judicial system had no alternative other than incarceration for handling children in certain situations. She thought the words "child labourers" in paragraph 13 (d) were too general. It might be useful to draw a distinction between children working in the informal sector, where there was a growing tendency towards their exploitation, and those employed in the formal sector.

Mrs. SANTOS PAIS said she agreed with the proposal that section B should be divided into subsections. One might cover situations of lawful deprivation of liberty or privacy, in accordance with article 37 (b) and article 40, paragraph 2 (vii), of the Convention. Another would relate to situations in which special protection was required, for example, against the exploitation of child labour and sexual exploitation. Perhaps the reference to drug abuse could be included in that subsection as well.

A third subsection might correspond to the proposal by the representative of the World Food Programme concerning emergency situations, refugee children and armed conflicts. She would also include minorities or indigenous children because they also needed special protective measures. She would not, however, include a reference to sale, trafficking and abduction and other forms of exploitation of children, as in paragraph 13 (e), for that question should be covered in paragraphs 9 and 10 on parental or foster care and adoption.

Mr. HAMMARBERG said that the Convention did not really deal with emergency situations and made little reference to displaced children, for example. In its discussions with Governments, the Committee might be able to link certain situations. It was clear that a displaced child's rights were violated, since one of the effects of being displaced was the violation of individual rights, such as the right to education.

He also noted that, by making reference to refugee children, disabled children and exploited children, the Committee ran the risk of placing labels on various groups of children. Organizations dealing with the problems of children with a disability were concerned that the Committee should not use language that would make the handicap or disability the children's main characteristic. They were children who had a handicap or a disability. In the guidelines under consideration, the Committee was beginning to use terms

that were not actually respectful of children from that point of view. He therefore suggested that the drafting group should consider those terms and see whether it was possible to use language that would be less succinct, but more in line with the wording of the Convention. For example, with regard to refugees, article 22 of the Convention referred to "a child who is seeking refugee status".

The question of statistics constituted a particularly difficult problem in the case of children with a handicap, depending on the meaning given to the term "handicap". The same was true with regard to children who were being exploited. The Committee should be very careful in requesting statistics in that regard, since countries would tend to use different criteria in collecting the data. If the Committee wished to have Governments submit statistics, it should indicate precisely what it was seeking.

With regard to paragraph 13 (g), he said that article 39 of the Convention was not concerned only with rehabilitation after an armed conflict and that it would be preferable to refer to articles 38 and 39 in two separate provisions.

Mr. SWEPSTON (International Labour Organisation), referring to paragraph 13 (d), said he shared the view that the question of child labour should be dealt with separately and that the reference to article 33 of the Convention should be moved to another provision.

In order to avoid labelling, it might be better to use more neutral wording in paragraph 13 (d), such as "Economic activity, including the prevention of child labour".

Mgr. BAMBAREN GASTELUMENDI said he agreed with the subdivisions proposed by Mrs. Santos Pais.

He thought that it would be essential for the Committee to include a provision concerning the problem of displaced children.

With regard to paragraph 13 (d), the questions of child labour and drug trafficking should be dealt with separately.

Another problem that should be covered was the number of children who committed suicide. Consideration should also be given to the problem of children killed in the streets.

Mr. SHAW (World Food Programme) appealed to the Committee to deal with the problem of children in emergency situations. He was certain that the Committee could include such situations in its discussions with Governments.

Directly or indirectly, the Committee's work would involve an examination of the provisions of the Convention, which he hoped the Committee would review from time to time, making recommendations for its revision. The Committee did not be have to be bound by the provisions of the Convention and must also take its spirit into account.

Mr. KOLOSOV said that paragraph 13 (d) should be moved to the section on "Basic health and welfare". That would avoid the problem of labelling referred to by Mr. Hammarberg.

Mr. HAMMARBERG said that the Committee might be allowed to go somewhat beyond the framework of the Convention, but it should be careful not to undermine the authority of States parties, which might feel that some of the questions addressed to them were not linked to the Convention.

The Convention was concerned basically with the individual rights of children. The intention was that, if, as a result of an armed conflict or natural disaster, a large number of children were disabled, the situation would be analysed from the standpoint of the violation of individual rights.

In his opinion, one of the challenges facing the Committee was to establish a link between situations and individual rights. Noting that article 38 of the Convention referred to international humanitarian law, he thought that the Committee should consider to what extent the provisions of the article would also be applicable to internal conflicts and emergencies. The Committee should also ask for a study to be undertaken on the extent to which the rights embodied in the Convention were actually violated in civil conflicts and disturbances. The Committee had a duty to be more thorough in its analysis of situations. He supported the subdivisions suggested by Mrs. Santos Pais and thought that they might help to solve many problems.

Mrs. SANTOS PAIS said that the Committee should take account of the experience of various countries. Attention must also be given to the provisions of article 41 of the Convention.

The suggestions and general recommendations which the Committee would make on the basis of the reports of States parties would be of great importance for the realization of the rights of the child.

Mrs. EUFEMIO, noting that there was no specific article of the Convention on displaced children or children in emergency situations, said that the interpretation of article 6 of the Convention might be expanded so that States parties could include information on measures taken with regard to such children. Article 6 was broad enough, since it referred to the survival and development of the child.

In the Philippines, provision was made for care for children in emergency situations. For example, preference was given to the evacuation of children vis-à-vis adults.

Mgr. BAMBAREN GASTELUMENDI said that the drafting group should be requested to include a new subparagraph on the physical elimination of children for economic, social or political reasons.

The CHAIRMAN said that the drafting group would revise the text of paragraph 13 in the light of the comments made during the discussion.

The meeting rose at 1.10 p.m.

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COMMITTEE ON THE RIGHTS OF THE CHILD

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SUMMARY RECORD OF THE 13th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 9 October 1991, at 10 a.m.

Chairman: Mrs. BADRAN

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Other matters

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The meeting was called to order at 10.15 a.m.

OTHER MATTERS (agenda item 11)

General discussion of the provisions of the Convention

The CHAIRMAN invited the members to make suggestions on any particular issues they would like to have included in the general discussion.

Miss MASON said that she was concerned with the question of the division of labour with regard to the procedure to be followed by the Committee in dealing with the reports of States parties. For example, she would like to know how much time would be allotted for the consideration of each report and whether certain members of the Committee would be mandated to put questions to the representatives of States parties relating to the topical headings of the guidelines.

Mr. HAMMARBERG said that it would be useful for the Committee to be given a briefing by the secretariat on the advisory services programme and on the possibility that that programme might assist in the process of the implementation of the Convention.

He also hoped that it would be possible for the Committee to be briefed at some stage on the problem of reservations by States parties and on the way in which the United Nations system as a whole and the treaty body system in particular dealt with such reservations.

Referring to the discussion on the rules of procedure, he recalled that, under rule 73, the Committee might recommend to the General Assembly to request the Secretary-General to undertake studies. It had been pointed out that such a process would be cumbersome and that the Committee would like to be able to initiate studies itself either in cooperation with the specialized agencies or directly in conjunction with other institutions and even individuals. Sooner or later, the Committee would have to discuss the role that such studies would play in its work.

Mrs. EUFEMIO said that, since much of what the Committee wished to do depended on the availability of financial resources, consideration should be given to discussing the vital issue of alternative funding.

Mrs. BELEMBAOGO said that quite a few States had ratified the Convention on the Rights of the Child, but had not ratified the International Covenants on Human Rights. She thought that, in the dialogue it would have with States parties, the Committee should remind them of the need to ratify the Covenants, since the rights of the child were an integral part of human rights in general. In order to ensure the scrupulous application of the provisions of the Convention on the Rights of the Child, States would have to guarantee a minimum of human rights. If a State had ratified the Convention on the Rights of the Child and had not ratified the International Covenants, it would have difficulty in ensuring the implementation of a number of the provisions of the Convention. The Committee might request the other treaty bodies to encourage the various States parties to take account of the International Covenants and to implement their provisions.

Mgr. BAMBAREN GASTELUMENDI said that the Committee should discuss the important question of maintaining informal contacts with non-governmental organizations concerned with the rights of the child, particularly since such bodies could encourage States parties to fulfil their obligations under the Convention.

Mr. KOLOSOV said that the other treaty bodies had much experience in considering the reports of States parties. It would therefore be important for the Committee to establish a close relationship with those bodies and he suggested that the Committee should discuss methods for establishing such a relationship. He did not think that the annual meetings of the chairmen of the treaty bodies would be sufficient for the purposes of the Committee.

Mr. HAMMARBERG said that the Committee had to consider what the main emphasis of its work would be. If the Committee was to be regarded internationally as the authoritative body with respect to the Convention, it would have to be careful in its comments on the reports of States parties and on the articles of the Convention itself.

As to the consideration of the reports of States parties, the Committee should plan its work on the assumption that Governments would fulfil their obligation to submit their reports on time. To that end, the Committee should transmit the guidelines to Governments and request information on the progress they were making in the preparation of their reports. It would also be appropriate for the Secretary-General to transmit a note verbale stressing the importance of the timely submission of reports. States parties should also be given information on advisory services. The Committee should complete its consideration of the reports of States parties within a reasonable period of time. The 57 reports expected to be received during the last part of 1992 should be dealt with substantially in 1993.

One way of ensuring that the Committee dealt with the reports within a reasonable period of time related to preparations for plenary meetings. The bulk of the work involving the processing of reports might be done in a pre-sessional subcommittee of the Committee rather than in plenary. During the pre-sessional meeting, there would be the beginning of a dialogue between the Committee and the Governments concerned. The Committee's questions would be submitted to Governments and efforts would be made to help them prepare for their attendance at plenary meetings. He thought that a single day would be required for the consideration of each report. During the first two years, the Committee would have a substantial workload, a situation which might cause problems for some members from the standpoint of their outside activities. He thought that it would not be a good idea to divide the plenary meetings into a few small groups, since the members represented different regions and should be present during the consideration of reports.

Mr. KOLOSOV said he did not think that a dialogue with Governments should be established at the subcommittee level because, under the Convention and the rules of procedure, every Government had the right to receive an evaluation concerning the situation in its country by the Committee as a whole, if necessary by a vote. Such a vote could not be taken if the Committee was divided into small groups.

Another reason why a dialogue could not be established with Governments at the pre-sessional stage was that delegations which came to submit their reports usually remained only two or three days and could not stay for a longer period of time.

The delegations of Governments and the Committee had different goals. Governments submitted their reports with a view to removing any criticism against them, minimizing their problems and putting forward their achievements. Another of their goals was to obtain financial and material assistance. The Committee's objective was to find out what difficulties Governments faced and why.

In his view, two working days might be needed for the consideration of initial reports. To reduce the workload of the Committee as a whole, a pre-sessional working group might study the reports to detect achievements and difficulties. In plenary, the consideration of a report would then consist of a 20-minute oral introduction by the State, followed by questions from the Committee members and the Committee's conclusions. The focus should be on specific achievements and specific problems.

Mrs. SANTOS PAIS said that the question of working methods was a crucial one and that the Committee would no doubt be reconsidering its approaches in the light of its experience. It was important to remember that the Committee on the Rights of the Child was a treaty body and, as such, was able to receive guidance from the other treaty bodies of the United Nations system. It might thus be useful, at the beginning of every session, to have a report on developments of interest to the Committee elsewhere in the United Nations system.

The Committee differed from the other treaty bodies in two respects as far as the consideration of reports was concerned. It not only faced the unknown as a new Committee, but it had a much larger number of reports to consider than the other treaty bodies. However, although reports were necessary they should not be the only basis for the Committee's work. The Committee should remain open to contributions from other United Nations bodies with a great deal of experience in countries with which it was holding a dialogue. In addition, since most of the provisions of the Convention on the Rights of the Child were included in other conventions, reports submitted by States to the other treaty bodies would be useful. Thus, the secretariat might submit an analytical study taking into account the reports by States to the other treaty bodies, particularly in respect of such issues as freedom of association, the right to work, social security and participation in cultural activities. The reactions of the other treaty bodies would be helpful in alerting the Committee to particularly important questions.

It would also be interesting to implement the idea suggested at the informal May 1991 meeting of establishing a technical advisory group, composed of representatives of the Committee's different partners, to assist the Committee and the pre-sessional working group in dealing with the large volume of information available in different fields. Such assistance would enable the pre-sessional working group to identify the main issues that should be raised to the State party when it appeared before the Committee.

She did not fully agree with Mr. Kolosov that a dialogue with a Government could not be established at the pre-sessional stage. The pre-sessional working group's formulation of questions requiring further information would enable the State party concerned to prepare its information with those questions in mind.

Mr. MOMBESHORA pointed out that the Committee's credibility would depend on its ability to analyse reports efficiently and to establish a beneficial working relationship with the State party concerned. Because of the diversity among the members, especially in certain technical areas, the establishment of working groups to help process the initial work might be very effective. The members with technical expertise would be able to give the others a clear understanding of the situation in a particular country, and that would lead the Government to have confidence in the Committee. He agreed with other speakers that discussions with State parties should take place in plenary meetings.

Mrs. EUFEMIO said that she agreed with Mr. Hammarberg on the importance of the Committee's role in interpreting the Convention. Especially in view of the members' different disciplines, they should have common interpretations of the articles of the Convention and be able to identify errors in States' understanding of the guidelines. She also believed that interpretations should be compiled in written form. One opportunity for discussion of interpretations was at the meetings of the pre-sessional working group. However, she agreed with other members that dialogue with States parties should take place in the Committee as a whole.

It was also essential for States parties to understand that the Committee was not policing them, but helping them implement the provisions of the Convention for the sake of children. She supported the idea of a technical advisory group and an analytical study to be prepared for consideration by the pre-sessional working group.

Mr. HAMMARBERG said that the establishment of a pre-sessional working group would mean the delegation of extra tasks to some members in connection with preparations for the consideration of reports. Such tasks could and should be rotated, in order to allow all the members to participate, and the working group should consist of three or four members at the most. In addition, the Chairman, Vice-Chairman and Rapporteur would have tasks to deal with between meetings and would ensure coordination with the other treaty bodies, the Commission on Human Rights and the General Assembly.

As to the division of labour, it was important to remember that, although experts were nominated by Governments, they were not representing any Government or region. Tasks should thus be divided up on a functional, and not a geographical, basis. An expert from a particular country should avoid playing an obvious role in the discussion of his or her country's report and should certainly not be the rapporteur for that report. In that way the Committee would be able to avoid considering a report too indulgently or too severely and experts would be protected from possible pressure by their Governments.

As far as the preparation of studies was concerned, he doubted that the members of the Committee would have time to follow the method of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, whose members took on a great many extra tasks. With regard to the preparation of discussions, the method of appointing one or more members to prepare for the next day's discussion was a sound one.

Mr. KOLOSOV said that he would like to have further information from the secretariat concerning the establishment of working groups. Assuming that such groups would meet during the Committee's sessions, since the Convention did not mention the possibility of intersessional working groups, they would reduce the time available for the consideration of reports in plenary meetings. The possibility of a technical advisory group was provided for in article 45 (a) of the Convention. It should be borne in mind, however, that the Committee must be in a position to inform the specialized agencies in advance which reports would be considered in order for them to submit reports on the States parties concerned.

Mr. MOMBESHORA pointed out that the consideration of a question by a working group did not rule out participation by other members. However, a working group composed of members with technical expertise would be able to identify issues better than a group composed of laymen.

Mrs. SANTOS PAIS noted that the Committee's rules of procedure provided for the establishment of subsidiary bodies. The Committee was therefore free to establish working groups, but it could also consider other working methods. It was understood that dialogue with a State party must take place not in a working group, but in the Committee as a whole.

Mgr. BAMBAREN GASTELUMENDI said that Mr. Kolosov had raised an interesting point with regard to technical assistance under article 45 (a) of the Convention. As far as the division of labour was concerned, he agreed that tasks should be organized according to subject-matter rather than on the basis of geographical concerns. It would also be useful to establish an executive secretariat of the Committee in each country to work exclusively on its behalf.

The meeting rose at 11.40 a.m.